Rs. 300/-

**IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR**

**W.P. (S) NO. 883 /2007**

**PETITIONERS**

1. Anuj Ram, S/o. Itwari, aged about 49 years, R/o. Village Khursega, P.O. Kodopara, Tehsil & District Dhamtari (C.G.)

2. Punit Ram, S/o. Halal Khor, aged about 51 years, R/o. Village Darba, P.S. Kurud, District Dhamtari(C.G.)

3. Ramberan, S/o. Guha Ram, aged about 50 years, R/o. Village Ghatapara, Tehsil Kurud, District Dhamtari (C.G.)

W.P. No. 1096/07 Presented by Shri Punit Kotwani dated 07.03.2007

**VERSUS**

**RESPONDENTS**

1. State of Chhattisgarh,
Through Secretary,
Public Works Department,
Mantralaya, D.K.S. Bhavan, Raipur (C.G.)

2. Engineer in Chief
Public Works Department,
Mantralaya D.K.S. Bhawan, Raipur (C.G.)

RECEIVED-COPY 7/9/07 CLERK to A. G. BILASPUR

**WRIT PETITION UNDER ARTICLE 226/[illegible] OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A WRIT IN THE NATURE OF MANDAMUS, PROHIBITION, CERTIORARI ETC. OR ANY OTHER DIRECTION OR ORDER TO DO JUSTICE IN THE MATTER**

(32)

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**W. P.(S) No. 883 of 2007**

Petitioners : Anuj Ram and others

Versus

Respondents : State of Chhattisgarh and another

**SB:** Hon'ble Mr. Justice **Satish K. Agnihotri, J**

---

Present: Mr. Saleem Kazi, Advocate for the petitioners.
Mr. V.V.S. Moorthy, Deputy Advocate General with Mr. Sushil Dubey, Government Advocate for the State/respondents.

---

**O R D E R**

(Passed on this 14th Day of February, 2007)

1. By this petition, the petitioners, who have worked for more than 30 years as Gangman seeks a relief that the petitioners being permanent gangman be retired at the age of 62 years in accordance with the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (for short 'the Act, 1967') read with Fundamental Rule (for short 'F.R.')56.

2. According to learned counsel for the petitioners, the petitioner attained the status of permanent employee, as defined under Rule 2(c) of the Chhattisgarh (Workcharged and Contingency Paid Employees) Pension Rules, 1979 (for short 'the Rules, 1979'), framed under Article 309 of the Constitution of India. After having attained the status of the permanent employee the petitioner would retire on attainting the age of 62 years on superannuation under the provisions of the Act, 1967.

(33)

3. Learned counsel appearing for the petitioners would submit that the case of the petitioners are squarely covered by the decision of this Court passed on 4th January, 2007 in W.P. No. 108/2005 (Govind Vs. State of Chhattisgarh & others) and other connected matters.

4. Learned counsel appearing for the respondents/State does not dispute the submissions made by learned counsel for the petitioners.

5. The respondents are at liberty to consider the facts of the case asto whether the petitioners have completed 15 years of service as gangman. In the event, it is found that they have completed 15 years of service, the case shall be governed by the decision of this Court in Govind Vs. State of Chhattisgarh and others (supra).

6. Accordingly, the petitioners, who are permanent gangman, are entitled to retire on attaining the age of 62 years in accordance with the Act, 1967. The petition is accordingly allowed. No order as to costs.

**Sd/-**
**Satish K. Agnihotri**
**Judge**

Subhash